

**IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT
OF PENNSYLVANIA**

LISA LAMBERT)	
)	
)	
v.)	
)	Civil Action No. 96-247
)	Judge Sean J. McLaughlin
WILLIAM WOLFE; KEITH)	Magistrate Judge Susan Paradise Baxter
BARLETT, JOHN RAUN;)	
JAMES EICHER; and VICTORIA)	
KORMANIC)	
)	
)	Electronically Filed

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO COMPLETE
DISCOVERY**

AND NOW, comes the Defendants, Wolfe, Bartlett, Raun, and Kormanic, by their attorneys Thomas W. Corbett, Jr., Attorney General, Robert A. Willig, Senior Deputy Attorney General, Susan J. Forney, Chief Deputy Attorney General, Chief, Litigation Section, and respectfully submit the following:

1. The above-captioned case was administratively closed on July 14, 2000 with the consent of all parties. By Order dated January 25, 2006, this Honorable Court reopened this case.
2. On March 21, 2006, this Court ordered that discovery was to close by June 15, 2006 (*See Doc. # 45*). On June 14, 2006, Plaintiff filed an Unopposed Motion for Extension of Time to Complete Discovery (*See Doc. # 47*). The Defendants Wolfe, Bartlett, Raun, and Kormanic agreed to Plaintiff's Motion. On June 19, 2006, these Defendants received Plaintiff's discovery requests. By Order dated June 22, 2006, this Court granted Plaintiff's Unopposed Motion and ordered that discovery would close on

July 17, 2006, that Defendants' motion for summary judgment was due by August 7, 2006, and that Plaintiff's response to summary judgment was due on August 28, 2006.

3. The undersigned attorney has recently been assigned to this case. Defendants Wolfe, Bartlett, Raun, and Kormanic are in the process of complying with Plaintiff's June 19, 2006 discovery request. The file in this case is voluminous. It consists of twenty-nine (29) expandable folders and literally thousands of pages of documents. Moreover, Plaintiff's June 19, 2006 discovery request requires the Defendants to contact the Department of Corrections to see if there are any materials that update the original discovery provided years ago. The Defendants are in the process of complying with Plaintiff's discovery request but they need more time to fully comply.

4. On July 13, 2006, the undersigned spoke with Plaintiff's counsel Angus Love, Esquire, who consented to this request for extension.

5. In addition to complying with the Plaintiff's discovery request, the undersigned has filed the following with the United States District Court for the District of Western Pennsylvania since June 19, 2006: motion to dismiss in the case of *Nedab v. Lencer*, 06-54E; a motion to dismiss in the case of *Serrano v. Folino*, 05-1118; a motion for summary judgment in the case of *Johnson v. Blaine*, 04-63; and a motion to dismiss or in the alternative a motion for summary judgment in the case of *Ross v. Richman*, 06-493.

6. The undersigned has the following due in the United States District Court for the District of Western Pennsylvania in the next several weeks: response in the case of *Sullenberger v. Jobe, et.al.*, 06-430; response in the case of *Armstrong v. Folino*, 06-464; response in the case of *Kline v. Valentic*, 06-642; response in the case of *Goldhaber*

v. Higgins, 06-134; a motion for summary judgment in the case of *Carston v. Sacks*, 03-1490; and a response in the case of *Johnson v. James*, 05-307J.

7. The undersigned has been involved with ongoing discovery in the cases of *Guerrero, et. al. v. Slippery Rock University, et. al.*, 05-154, and *Burns v. Slippery Rock*, 06-318 including depositions, deposition preparation, responding to interrogatories, and document production.

8. The undersigned filed a supplemental brief in support of preliminary objections in the case of *Tindell v. Beard*, No. 2171 of 2004, with the Court of Common Pleas of Fayette County on June 22, 2006.

9. Your petitioner is an officer in the U.S. Army Reserve. He was required to complete duty in Norristown, PA, outside of Philadelphia, from August 7-9, 2006. As a result he was unable to work on this case during this past weekend.

WHEREFORE, the Defendants request an additional thirty (30) days or until August 17, 2006 in which to provide discovery and ask that all subsequent deadlines (Defendants' motion for summary judgment due, Plaintiff's response to motion for summary judgment, etc....) be adjusted accordingly.

Respectfully submitted,

Thomas W. Corbett, Jr.
Attorney General

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/s/ Robert A. Willig
ROBERT A. WILLIG
Senior Deputy Attorney General
Attorney I.D. No. 53581

Susan J. Forney
Chief Deputy Attorney General

Date: July 17, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Unopposed Motion for Extension of Time to Complete Discovery was served upon the following via ECF this 17th day of July 2006:

Angus Love
Pennsylvania Institutional Law Project
718 Arch Street, Suite 304 South
Philadelphia, PA 19106

I hereby certify that a true and correct copy of the within Motion for Extension of Time was served upon the following via ECF this 12th day of July 2006:

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Date: July 17, 2006